

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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HERBERT WILKINS,

Petitioner,

v.

KEVIN HAYDEN, Secretary of  
Wis. DHFS, or, his Successor,

Respondent.  
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ORDER

08-cv-264-bbc

In response to an order entered in this case on May 12, 2008, petitioner has submitted a certified six-month resident account statement showing his balances for the months of October, 2007 through March, 2008. From this statement, I conclude that petitioner has the means to prepay a portion of the \$350 filing fee in the amount of \$2.17.

Petitioner is reminded that paying the amount I have determined he is able to pay is just the first step in obtaining leave to proceed in forma pauperis under 28 U.S.C. § 1915. After the court receives his payment, I will take petitioner's complaint under advisement for a determination under § 1915(e)(2) whether his action or any portion of it must be dismissed as frivolous or malicious, for failure to state a claim on which relief may be granted

or because petitioner seeks monetary relief against a defendant who is immune from such relief.

ORDER

IT IS ORDERED that petitioner qualifies financially for pauper status on the condition that he prepay \$2.17 of the \$350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before June 26, 2008. If, by June 26, 2008, petitioner fails to prepay the amount he has been ordered to pay, I will dismiss this case for his failure to prosecute.

Entered this 5<sup>th</sup> day of June, 2008.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge